

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

LAROY SADDLER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:07CV1049 RWS
	)	
MIKE GOODRICH, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**


This matter is before the Court on plaintiff's motion to appoint counsel and to set a trial date. Both motions will be denied. There is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors including (1) whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering these factors, the Court believes that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time.

Plaintiff's request for a trial date is also denied at this time. A case management order will issue this same date. After the parties conduct discovery in accordance with this Order, the Court will set a trial date if no dispositive motions are filed and granted.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel and for trial setting [#20] is **DENIED** without prejudice.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of September, 2007.